

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF OREGON

In re

ZACHARIAH TRAVIS JONES)	Case No. 23-61466-tmr13
GABRIELLE DENISE EZELL JONES,)	
)	Confirmation Hearing Date: 10/31/23
)	
)	TRUSTEE'S OBJECTION TO
)	CONFIRMATION AND MOTION
Debtors.)	TO DISMISS

Naliko Markel, Trustee, objects to confirmation of the Debtors' Chapter 13 Amended Plan (ECF No. 16) for the reasons set out below:

- ☒ a. Plan is not feasible: **the Plan as proposed appears underfunded approximately \$9,378. The claims bar date runs on 10/27/23, and the Trustee will recalculate feasibility at that time.**
- ☐ b. Case not filed in good faith/Plan not proposed in good faith:
- ☐ c. Plan does not commit all of the Debtor's excess projected disposable income pursuant to 11 U.S.C. § 1325(b)(1)(B) for the applicable commitment period:
- ☐ d. Plan does not meet the best interest test of 11 U.S.C. § 1325(a)(4):
- ☒ e. Filing/documentation is deficient: **Please provide: (1) Form 1305 and ¶4(c) of the Plan are inconsistent and should be reconciled; (2) an explanation as to how the income figure on Schedule I was calculates for Mr. Jones' winter work at WalMart; (3) the Statement of Financial Affairs (SOFA) #4 & #5 should be amended to include all income for 2021-2023; and (4) SOFA #18 should be amended to disclose the full names and addresses of the transferees.**
- ☒ f. Other: **Plan changes: (1) ¶2: uncheck the "60 months" box and check the "36 months" box; (2) ¶3(c): amend to read "2023-2025"; and (3) ¶4(i): insert "5%" because the estate is solvent.**

Motion to Dismiss. For the above reasons, the Trustee moves the Court for an order dismissing this case.

I certify that on October 25, 2023, I served copies of the above Objection and Motion on the Debtor(s) and any debtor attorney.

DATED: October 25, 2023
(tm)

/s/ Andrea Breinholt, OSB #092975, for
Trustee